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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

EDD KING, DIEDRE KING, and ELMO
SHEEN, SHEILA LEE, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

NATIONAL GENERAL INSURANCE
COMPANY, NATIONAL GENERAL
ASSURANCE COMPANY, INTEGON
NATIONAL INSURANCE COMPANY,
INTEGON PREFERRED INSURANCE
COMPANY, MIC GENERAL INSURANCE
CORPORATION, PERSONAL EXPRESS
INSURANCE COMPANY, SEQUOIA
INSURANCE COMPANY, and DOES 1
through 200, inclusive,

Defendants.

Case No.: 4:15-cv-00313-DMR
Hon. Donna M. Ryu

**JOINT STIPULATION TO EXTEND THE
DEADLINE TO FILE A JOINT
DISCOVERY LETTER ON THE ISSUE OF
POLICYHOLDER DATA AND TO
AMEND THE SCHEDULING ORDER;
~~PROPOSED~~ ORDER ***AS
MODIFIED*****

Complaint Filed: January 22, 2015

**JOINT STIPULATION TO EXTEND THE DEADLINE TO FILE A JOINT DISCOVERY LETTER ON THE
ISSUE OF POLICYHOLDER DATA AND TO AMEND THE SCHEDULING ORDER; ~~PROPOSED~~ ORDER**

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

Pursuant to Federal Rule of Civil Procedure 6(b) and Civil Local Rules 6-1(b), 7-12, and 16-2, Plaintiffs EDD KING, DIEDRE KING, ELMO SHEEN, and SHEILA LEE (collectively hereinafter “Plaintiffs”), Defendants NATIONAL GENERAL INSURANCE COMPANY (“NGIC”), NATIONAL GENERAL ASSURANCE COMPANY (“NGAC”), INTEGON NATIONAL INSURANCE COMPANY (“INIC”), INTEGON PREFERRED INSURANCE COMPANY (“IPIC”), MIC GENERAL INSURANCE CORPORATION (“MIC”), and PERSONAL EXPRESS INSURANCE COMPANY (“PEIC”) (collectively hereinafter the “NG Defendants”), and SEQUOIA INSURANCE COMPANY (“Sequoia”) hereby do jointly stipulate and agree, by and through their counsel of record, as follows (Plaintiffs, the NG Defendants, and Sequoia are hereinafter collectively referred to as the “Parties”):

1. WHEREAS, on February 9, 2023, the Court issued its Civil Law and Motion Minute Order (Dkt. #251) (“February 9 Order”), which issued rulings on the four joint discovery letter briefs filed on December 22, 2022 (Dkt. ##239-242), and Plaintiffs’ Motion for Order Continuing Case Management Dates and Allowing Additional Depositions (Dkt. #244);

2. WHEREAS, regarding the Fourth Joint Discovery Letter (Dkt. #251), the February 9 Order ordered, *inter alia*, as follows: (1) Plaintiffs and the NG Defendants were to “meaningfully meet and confer regarding policyholder data for 2011 forward”; (2) the NG Defendants were to “provide Plaintiffs with basic information about the data exists, as well as where and how it is kept”; (3) Plaintiffs were permitted to “take Rule 30(b)(6) deposition(s) of [the NG Defendants] regarding these issues before seeking production of the actual policyholder datasets” and (4) If any disputes remained “as to the burden on [the NG Defendants] to produce this data, [Plaintiffs and the NG Defendants could] file a joint discovery letter on that issue by no later than 3/13/23.”

3. WHEREAS, pursuant to the February 9 Order, Plaintiffs and the NG Defendants met and conferred on February 15, 2023 regarding Plaintiffs’ requests for information pertaining to the policy systems, policy data available, agent information, and agent information available;

4. WHEREAS, pursuant to the February 9 Order, the NG Defendants provided Plaintiffs with basic information about the data exists, as well as where and how it is kept, in an email dated February 22, 2023;

5. WHEREAS, pursuant to the February 9 Order, on March 7, 2023, Plaintiffs took a 30(b)(6) deposition regarding the foregoing data issues;

6. WHEREAS, on March 10, 2023, Plaintiffs and the NG Defendants met and conferred again regarding the foregoing data issues but are now at an impasse;

7. WHEREAS, to allow Plaintiffs and the NG Defendants sufficient time to brief the issues related to the alleged burden on the NG Defendants to produce the foregoing data, Plaintiffs and the NG Defendants have agreed to extend the deadline to file a joint discovery letter brief on the issue of policyholder data from March 13, 2023 to March 17, 2023;

8. WHEREAS, this is the first request by the Parties to extend the briefing deadline on the foregoing data issues;

9. WHEREAS, regarding the Third Joint Discovery Letter (Dkt. #251), the February 9 Order ordered Plaintiffs and the NG Defendants to “meaningfully meet and confer with respect to the depositions of Doug Hanes, Brenda Castellanos, and Byron Storms” (the “Apex Depositions”);

10. WHEREAS, Plaintiffs and the NG Defendants have met and conferred regarding the Apex Depositions and, as a result, have reached mutual agreement on the time limits and parameters of their depositions such that their depositions will proceed;

11. WHEREAS, in order to accommodate the schedules of the witnesses involved, the Apex Depositions cannot be completed by the current fact discovery cut-off date of April 3, 2023;

12. WHEREAS, the Parties agree the discovery deadline and all subsequent deadlines in the scheduling order should be extended by 30 days in order to complete the fact depositions already noticed or requested (including the Apex Depositions) and the Rule 30(b)(6) depositions of the NG Defendants.

NOW, THEREFORE, IT IS HEREBY STIPULATED, subject to Court approval, that the below deadlines be extended as follows:

Event	Current Date	Proposed Date
Deadline to file joint discovery letter on the issue of policyholder data	3/13/2023	3/17/2023
Close of fact discovery	4/3/2023	5/3/2023
File class certification motion	5/8/2023	6/8/2023
Opposition to class certification motion	6/29/2023	7/29/2023
Reply re class certification	8/14/2023	9/14/2023
Plaintiffs' expert witness disclosure	8/17/2023	9/17/2023
Defendants' expert witness disclosure	9/14/2023	10/14/2023
Rebuttal expert disclosures due	10/12/2023	11/12/2023
Expert discovery cut-off	12/14/2023	1/14/2024
Last day for hearing dispositive motions	2/8/2024	3/8/2024

Dated: March 12, 2023

Respectfully Submitted,

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Attorneys for Plaintiffs and Proposed Class

Dated: March 12, 2023

Respectfully Submitted,

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INSURANCE COMPANY

1 Dated: March 12, 2023

Respectfully Submitted,

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ATTESTATION

I, Marc R. Jacobs, am the ECF user whose identification and password are being used to file this Joint Stipulation and [Proposed] Order. In compliance with the ECF manual and the Civil Local Rules, I hereby attest that each of the other signatories concur in the filing of this Joint Stipulation and [Proposed] Order.

Dated: March 12, 2023

By: /s/ Marc R. Jacobs
Marc R. Jacobs

~~PROPOSED~~ ORDER *AS MODIFIED*****

THE COURT, HAVING READ THE FOREGOING STIPULATION AND CONSIDERED THE SAME, AND GOOD CAUSE APPEARING THEREFORE, IT IS HEARBY ORDERED AS FOLLOWS:

The current case deadlines are extended as follows:

Event	Current Date	Proposed Date
Deadline to file joint discovery letter on the issue of policyholder data	3/13/2023	3/17/2023
Close of fact discovery	4/3/2023	5/3/2023
File class certification motion	5/8/2023	6/8/2023
Opposition to class certification motion	6/29/2023	7/29/2023
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Expert discovery cut-off	12/14/2023	1/14/2024
Last day for hearing dispositive motions	2/8/2024	3/8/2024 3/14/2024

IT IS SO ORDERED.

DATE: March 14, 2023


UNITED STATES DISTRICT COURT
CHIEF MAGISTRATE JUDGE DONNA M. RYU